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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 8054-005-US U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 101/551176
INTERNATIONAL APPLICATION NO. PCT/EP04/003417	INTERNATIONAL FILING DATE 31 MARCH 2004	PRIORITY DATE CLAIMED 31 MARCH 2003
TITLE OF INVENTION Use of DG931 Protein for Treating Diabetes Obesity and Metabolic Syndrome APPLICANT(S) FOR DO/EO/US Develogen Aktiengesellschaft		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input checked="" type="checkbox"/> The US has been elected (Article 31).		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <div style="margin-left: 20px;"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </div>		
6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <div style="margin-left: 20px;"> a. <input type="checkbox"/> is attached hereto. b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </div>		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <div style="margin-left: 20px;"> a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </div>		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input checked="" type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/551176		PCT/EP04/003417		8054-005-US	
20. Other items or information:					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$ 200	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
All other situations..... \$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				\$ 400	
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
TOTAL OF 21, 22 and 23 =				900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	32 - 20 =	12	x \$ 50	\$ 600	
Independent claims	- 3 =		x \$200	\$ 1200	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 360	
TOTAL OF ABOVE CALCULATIONS =				\$ 3060	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 1530	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 1530	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 1530	
				Amount to be refunded:	\$
				Amount to be charged	\$ 1530

1006 Rec'd PCT/PTO 30 SEP 2005

PATENT

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10/551176

Certificate of Express Mail Mailing

Under 37 CFR 1.10 I certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV 638863744 US in an envelope addressed to: Mail Stop: PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

Jennifer Hopper
Jennifer Hopper

September 30, 2004

Date of Deposit

(EV638863744US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Examiner: TBD
)	
Develogen Aktiengesellschaft)	Group Art Unit: TBD
)	
Serial No.: PCT/EP04/003417)	Docket No.: 8054-005-US
)	
Filed: Herewith)	Date Mailed: September 30, 2004
)	
For: USE OF DG93 PROTIEIN FOR)	
TREATING DIABETES, OBESITY AND)	
METABOLIC SYNDROME)	

TRANSMITTAL LETTER

Mail Stop: PCT
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This submission is to effect entry of PCT Application PCT/EP04/003417 into the United States National Stage under 35 U.S.C. § 371 and 37 C.F.R. § 1.495.

Accordingly, the following documents are transmitted:

JC20 Rec'd PCT/PTO 30 SEP 2005

(1) A copy of the notice referred to in PCT Rule 47(1), which constitutes conclusive evidence of the transmission of the application to the United States Patent and Trademark Office. This notice is provided by way of Form PCT/IB/308.

(2) A Preliminary Amendment under 37 C.F.R. § 1.121 to amend the specification and claims of the above-identified application for entry into the United States National Stage.

(3) A fee payment of \$1,530.00 as further described in the fee transmittal.

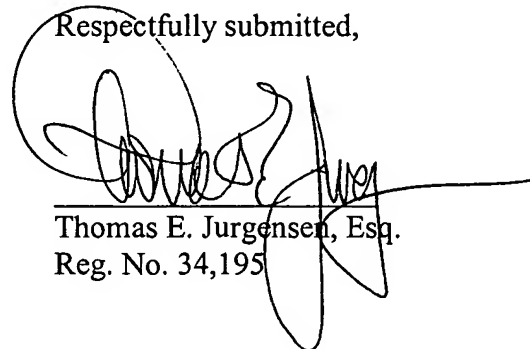
(4) Self addressed stamped postcard

Priority under 35 U.S.C. §§ 119 and 365 and under 37 C.F.R. § 1.55 is hereby claimed for the national stage application. This priority is claimed to: (1) PCT Application No. PCT/EP04/003417, filed on March 31, 2004, and designating the United States; and to (2) European Application No. 03007274.8, filed on March 31, 2003, from which PCT Application No. PCT/EP04/003417 claimed priority.

Date:

09/30/05

Respectfully submitted,



Thomas E. Jurgensen, Esq.
Reg. No. 34,195

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